

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.1016/2015

Natthu s/o Mukundrao Bhoyar

...Versus...

Western Coalfields Limited, Nagpur through its Chairman-cum-Managing
Director and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri D.S. Thakur, Advocate for petitioner
Shri A.M. Ghare, AGP for respondents

CORAM : SMT. VASANTI A. NAIK AND
A. S. CHANDURKAR, JJ.

DATE : 09.02.2016

By this petition, the petitioner seeks a direction to the respondents to consider the representation made by the petitioner and refer the petitioner to the Apex Medical Board for determination of the age of the petitioner so that the age of the petitioner could be corrected from 1.7.1955 to 25.6.1960.

Shri Ghare, the learned Counsel for the respondents states that several disputed questions of facts would arise for determination in the writ petition. It is stated that the petitioner has sought for the correction of his date of birth at the fag end of his services. It is stated that the petitioner has an alternate remedy of approaching the CGIT or filing a civil suit, if so desires. It is stated that the issue in regard to the correction of the date of birth may not be decided in exercise of the writ jurisdiction and a

direction may not be issued to the respondents to decide the representation of the petitioner at the fag end of his services.

In the circumstances of the case, we find much force in the preliminary objection raised on behalf of the respondents. Hence, we decline to entertain the writ petition. The writ petition is disposed of with no order as to costs. The petitioner is free to avail alternate remedy, if so advised.

Order accordingly.

JUDGE

JUDGE

Wadkar